



Wednesday, March 6, 2019  
By U.S. Certified Mail

James D. Lienhoop, Mayor and Presiding Officer  
Common Council of the City of Columbus, Indiana  
c/o Luann Welmer, City Clerk Treasurer  
Columbus City Hall  
123 Washington Street  
Columbus, Indiana 47201

**Re: Order of Approval – Fire Prevention Ordinance of the City of Columbus, Indiana**

Dear Mayor Lienhoop:

Pursuant to Indiana Code § 22-13-2-5.5, the Fire Prevention and Building Safety Commission (Commission), at its regularly scheduled meeting on Tuesday, March 5, 2019, approved the following ordinances:

- Ordinance No. 2, 2019 – Fire Prevention Ordinance of the City of Columbus, Indiana

Enclosed with this letter are the Commission's orders of approval, and a copy of the ordinance, endorsed by Robin E. Nicoson, Chairman of the Fire Prevention and Building Safety Commission. If you have any additional questions or concerns, please feel free to contact me.

Sincerely,

Douglas J. Boyle, Director  
Fire Prevention and Building Safety Commission  
Indiana Department of Homeland Security  
302 W. Washington Street, Room E-208  
Indianapolis, IN 46204  
[dboyle@dhs.in.gov](mailto:dboyle@dhs.in.gov)  
(317) 650-7720

Enclosure

cc: Alan L. Whitted, City Attorney of the City of Columbus, Indiana (by electronic mail and U.S. certified mail)

File



**ORDER OF APPROVAL**

**TO:** James D. Lienhoop, Mayor and Presiding Officer  
Common Council of the City of Columbus, Indiana  
c/o Luann Welmer, City Clerk Treasurer  
Columbus City Hall  
123 Washington Street  
Columbus, Indiana 47201

Alan L. Whitted, City Attorney  
Whitted Law, LLC  
431 Washington Street  
Columbus, IN 47201

**FROM:** Douglas J. Boyle, Director of the Fire Prevention and Building Safety Commission  
Indiana Department of Homeland Security  
302 W. Washington Street, Room E208  
Indianapolis, IN 46204

**DATE:** Wednesday, March 6, 2019

**RE:** Order Approving Ordinance No. 2, 2019 (Fire Prevention Ordinance of the City of Columbus, Indiana)

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Pursuant to Indiana Code § 22-13-2-5.5, the Fire Prevention and Building Safety Commission, at its Tuesday, March 5, 2019 meeting, **APPROVED** the above listed ordinance. Enclosed is the original copy of the ordinance, endorsed by the Chairman of the Fire Prevention and Building Safety Commission.

**EFFECTIVE DATE**

Pursuant to Indiana Code § 4-21.5-3-5, this order is effective fifteen (15) days after it is served, unless a petition for review and a petition for stay of effectiveness of this order has been filed.

**APPEAL RIGHTS**

This order may be appealed in accordance with Indiana Code § 4-21.5-3-7. To qualify for administrative review of this order, you must submit, by U.S. Mail or personal service, a Petition for Review in writing that complies with all of the following requirements:

1. The Petition for Review must state facts demonstrating that you are:
  - a. a person to whom the order is specifically directed;
  - b. aggrieved or adversely affected by the order; or
  - c. entitled to review under any law.
2. The Petition for Review must be filed with the chairperson or secretary of the ultimate authority for the agency issuing the order. If filed by U.S. mail, as opposed to personal service, please address the mailing as follows:

Indiana Department of Homeland Security  
Fire Prevention and Building Safety Commission  
c/o Secretary  
302 W. Washington Street, Rm. E-208  
Indianapolis, IN 46204

3. The Petition for Review must be filed within fifteen (15) days after you are given notice of this order. Timeliness is computed by the methods described in Indiana Code § 4-21.5-3-2. Generally, the following rules apply, but review I.C. § 4-21.5-3-2 to ensure timeliness for your specific situation.
  - a. If you are served by United States mail, you will have three (3) additional days to petition for review – extending the period to eighteen (18) days – this time period will be calculated from the date the order was deposited in the United States mail.
  - b. In calculating timeliness, the first day is **not** included, but the last day is.
  - c. If the deadline falls on a: (1) Saturday; (2) Sunday; (3) legal holiday under a state statute; or (4) other day that our office is closed, the deadline will be extended until the first day that does not fall on a: (1) Saturday; (2) Sunday; (3) legal holiday under a state statute; or (4) other day that our office is closed.
  - d. The Petition for Review is deemed filed on the date of the postmark on the envelope containing the Petition for Review or the date the Petition for Review is personally delivered to the above address, whichever occurs first.

Please be advised, if a petition for review is granted any person may obtain notices of prehearing conferences, preliminary hearings, hearings, stays, and any orders disposing of the proceedings by sending a request to receive such notices to the address listed in 2, above.

If you comply with these three requirements, your Petition for Review will be granted and will be assigned to an administrative law judge for review. If a Petition for Review is not timely filed, then this order will become final and you must comply with its requirements.

You may also request an opportunity to informally discuss this matter. However, a request to informally discuss, or actual informal discussion, does not extend the deadline for filing your Petition for Review and, consequently, any request should be made promptly, preferably by

telephone, upon receipt of the Order. If you have any questions regarding this order, please contact our Legal Department by phone at (317) 234-9515 or by email at [jguedel@dhs.in.gov](mailto:jguedel@dhs.in.gov).

DJB  
encl.  
cc: File

RECEIVED  
IDHS

JAN 31 2019

COMMISSION  
STAFF

ORDINANCE NO. 2, 2019

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO REPEAL AND REPLACE FIRE PREVENTION REGULATIONS ORDINANCE NO. 3, 2018

**WHEREAS**, Indiana Code 36-1-3 et. seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government; and

**WHEREAS**, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

**WHEREAS**, the Columbus Fire Department provides fire protection and prevention for the City of Columbus; and

**WHEREAS**, it is the desire of the Common Council to update and modernize the fire prevention regulations for the City of Columbus to assist the Columbus Fire Department in their mission to protect life and property; and

**WHEREAS**, this policy was amended by the Common Council in 2018, but since that time, there have been updates to the Indiana Administrative Code which requires the City of Columbus to amend its Fire Prevention Regulations and Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, THAT THE FIRE PREVENTION REGULATIONS, TITLE 8 OF THE COLUMBUS CITY CODE, HEALTH AND SAFETY, ARE REPEALED AND REPLACED AS FOLLOWS:

**8.12.010 TITLE.**

This ordinance and all material included herein by reference shall be known as the "Fire Prevention Ordinance of Columbus Indiana" ("Ordinance").

**8.12.015 PURPOSE.**

The purpose of this Ordinance is to protect the life, public safety, health and general Welfare of the citizens of Columbus, Indiana, and shall be construed in such a manner as to effectuate this purpose.

CLERK OF SUPERIOR COURT  
COLUMBUS, INDIANA  
1931

**8.12.020 AUTHORITY.**

The Fire Chief, or his/her designee, is hereby authorized and directed to administer and enforce the following:

1. All provisions of this Ordinance.
2. Variances granted in accordance with IC 22-13-2-11.
3. Orders issued under IC 22-12-7.

**8.12.025 APPLICABILITY.**

The provisions of this Ordinance are supplemental to the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, and Indiana Fuel Gas Code as adopted by the Indiana Fire Prevention and Building Safety Commission. The provisions of this Ordinance apply to maintenance of Fire Prevention and Life Safety Features as herein described. The provisions of this Ordinance apply to existing conditions as well as to the conditions arising after the adoption thereof.

**8.12.030 CONFLICTING PROVISIONS.**

If any provision of this Ordinance is found to be in conflict with any Building, Zoning, Safety, Health, or other applicable law or ordinance of Columbus, Indiana, whether existing on the effective date of this ordinance or later adopted, the provision which establishes the higher standard for the promotion and protection of the safety and welfare of the public applies.

**8.12.035 SEVERABILITY.**

If any provision of this Ordinance is declared invalid, by a court of competent jurisdiction, for any reason, the remaining provisions shall not be affected, if such remaining provisions can, without the invalid provision or provisions, be given their original intended effect in adopting this Ordinance. To this end, the provisions of this Ordinance are severable.

**8.12.040 MINIMUM STANDARDS.**

All rules of the Indiana Fire Prevention and Building Safety Commission as set out in Articles 12, 13, 18, 22 and 25 of Title 675 of the Indiana Administrative Code are incorporated in this Ordinance and shall include all later amendments to that article as published in the Indiana Register or the Indiana Administrative Code with effective dates as fixed therein. Any special processes or procedures not addressed in the Indiana Fire Code (675 IAC 22) or this Ordinance shall be subject to applications found in Fire Safety Standards recognized by Indiana Fire Code (675 IAC 22), Referenced Standards and as approved by the Fire Chief, or his/her designee. Any special processes or procedures not addressed in this Ordinance shall be subject to applications found in the current editions of the National Fire Protection Association (NFPA) Standards or other recognized Fire Safety Standards— subject to the rules of the Indiana Fire Prevention and Building Safety Commission.

#### **8.12.045 EFFECT OF ADOPTION ON PRIOR ORDINANCE.**

The expressed or implied repeal or amendment by this Ordinance, of any other ordinance or part of any other ordinance, does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this Ordinance. Such rights, liabilities, and other proceedings are continued and penalties shall be imposed and enforced under the repealed or amended ordinance as if this Ordinance had not been adopted.

#### **8.12.050 DEFINITIONS.**

"Building Code" means the Indiana Building Code found within 675 IAC 13.

"Class 1 structure" has the meaning ascribed thereto in IC 22-12-1-4.

"Class 2 structure" has the meaning ascribed thereto in IC 22-12-1-5.

"Commission" refers to the Indiana Fire Prevention Building Safety Commission as established by IC 22-12-2-1.

"Crowd Manager" has the meaning ascribed thereto in 675 IAC 22-2.5.

"Cut Sheet" means specification sheet that provides and describes the technical specifications of a particular product.

"Division of Fire and Building Safety" refers to the Division of Fire and Building Safety of the Indiana Department of Homeland Security established pursuant to IC 10-19-7-1.

"Emergency" means a sudden, unforeseen crisis (usually involving danger) that requires immediate action.

"False Alarm" means an alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, or an alarm activated by a cause that cannot be determined.

"Fire Chief" means the chief officer of the fire department or fire territory serving the jurisdiction.

"Fire Code" refers to the Indiana Fire Code found within 675 IAC 22.

"Fire Department" refers to the Columbus Fire Department and has the meaning ascribed thereto in IC 36-8-17-2.

"Fuel Gas Code" refers to the Indiana Fuel Gas Code found within 675 IAC 25.

"General Administrative Rules" means the General Administrative Rules of the Indiana Fire Prevention and Building and Safety Commission located at 675 IAC 12.

"IAC" means the Indiana Administrative Code.

"IC" means the Indiana Code of the Indiana General Assembly.

"Initiating device" A fire alarm system initiating device is a device that transmits a signal to the fire alarm control unit indicating that the device has undergone a change of state.

"Key Box" has the meaning ascribed thereto in 675 IAC 22.

"Mechanical Code" means Indiana Mechanical Code found within 675 IAC 18.

"Notice of Violation" means a written notice issued by the Fire Department usually in the form of an inspection report listing violations.

"Owner" has the meaning ascribed thereto in 675 IAC 22.

"Person" has the meaning ascribed thereto in IC 22-12-1-18.

"Qualified Person" means a person who either holds current National Institute for Certification in Engineering Technologies (NICET) certification in the fire protection system being installed, serviced, or repaired, or has successfully completed a course of instruction specific to the equipment being installed, serviced, or repaired. Such instruction shall have been approved by the manufacturer of the equipment or their authorized representative.

"Municipality" is used in the Fire Prevention Code, it shall be held to mean the city.

"Corporation counsel" is used in the Fire Prevention Code, it shall be held to mean the attorney for the city.

"Critical fire district" is used in this chapter, it shall be held to mean that same area referred to as the "fire limits" in Section 15.08.010. (Prior code § 8-9)

**TERMS NOT DEFINED:** Where terms are not defined in this Fire Prevention Code and are defined in the General Administrative Rules, the Indiana Building Code, Indiana Fire Code, Indiana Mechanical Code, or Indiana Fuel Gas Code, such terms shall have the meanings ascribed to them as in those codes. Where terms are not defined through the methods authorized, such terms shall have ordinarily accepted meanings such as the context implies.

#### **8.12.055 FIRE SCENE AUTHORITY.**

The Fire Chief, or his/her designee, at any fire, explosion, rescue, emergency medical or hazardous materials incident, or any other emergency which poses imminent threat to life, environment, or property, shall have the authority to direct operations as necessary to control, mitigate, or eliminate the emergency. It shall be unlawful for any person to impede the emergency operations of the Columbus Fire Department (or Fire Territory).

(A) *General.* The Fire Department shall have the right to enter any building or premises without permission or warrant in the event of any emergency situation constituting a threat to human life, property or the public safety for the purpose of eliminating, controlling or abating the dangerous condition or situation.

(B) *Liability.* The Fire Department or the Fire Department dispatch center will notify the owner/occupant of the event and it will be the responsibility of the owner/occupant to assure that the building is re-secured.

#### **8.12.060 EMERGENCY LINES AND LIMITS.**

The Fire Chief, or his/her designee, may establish emergency lines and limits; and, barricade or guard from the general public such emergency lines and limits.

The Fire Chief, or his/her designee, may create an area in which only firefighters, law enforcement personnel, other emergency responders, other people, or agencies having a direct interest in any property threatened by a fire, explosion, hazardous material incident, other emergency, other people, or agencies at the discretion of the Fire Chief, or his/her designee, shall be admitted. It shall be unlawful for any unauthorized person to cross such emergency lines or limits.

#### **8.12.065 FIRE INVESTIGATIONS.**

The Fire Chief, or his/her designee, shall perform fire investigations pursuant to IC 36-8-17-8.

The Fire Chief, or his/her designee, is authorized to conduct an origin and cause investigation of all fires and explosions within the service district of the Columbus Fire Department (or Fire Territory). It shall be unlawful for any person to impede the Fire Chief, or his/her designee, from conducting an origin and cause investigation.

#### **8.12.070 FIRE AND LIFE SAFETY INSPECTIONS.**

The Fire Chief, or his/her designee, shall conduct fire and life safety inspections in Class I structures pursuant to IC 36-8-17-8.

The Fire Chief, or his/her designee, shall inspect Class I structures as often as necessary for the purpose of ascertaining and causing to be corrected any violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Ordinance, or any other rule of the Commission.

#### **8.12.075 ENFORCEMENT AUTHORITY.**

The Fire Chief, or his/her designee, shall possess the authority to enforce the provisions of this Fire Prevention Ordinance.

The Fire Chief, or his/her designee, shall have the authority to enforce provisions of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Ordinance, or any other rule of the Commission. Such enforcement shall include, but is not limited to:

1. The prevention of fires.
2. The handling, storage, sale, and use of flammable liquids, explosives, combustible, and hazardous materials.
3. The adequacy of means of egress from all places in which people live, work, or congregate from time to time for any purpose.
4. The location, installation, and maintenance of smoke alarms, fire alarm systems, and fire suppression systems.

5. The existence of recognized hazardous conditions that present a clear and immediate hazard to life and property.

The Fire Chief, or his/her designee, shall have the authority to institute legal actions in cases of non-compliance and shall have the authority to initiate legal action in accordance with locally prescribed avenues covering the violations of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Ordinance, or any other rule of the Commission. Violators of this local ordinance may be cited into the court having jurisdiction.

#### **8.12.080 DETERMINATION OF VIOLATION.**

Whenever the Fire Chief, or his/her designee, determines by inspection that an apparent or actual violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, any other rule of the Commission or a hazardous condition exists upon any Class I structure within the Columbus, Indiana, the person making such determination shall issue such Notice of Violation or order as may be necessary for the enforcement of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other rule of the Commission.

#### **8.12.085 TIME LIMIT.**

Orders shall set forth a time limit for compliance dependent upon the hazard created by the violation(s).

#### **8.12.090 NOTICE OF VIOLATION.**

Under IC 36-8-17-9, an order of enforcement of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Ordinance, or any other rule of the Commission, which is within the jurisdiction of the Fire Chief, or his/her designee, may seek the correction of any violation or the elimination of any hazardous condition by the methods specified in this code or by any other appropriate remedy or procedure provided by law. The failure of the Fire Department to inspect or to issue a Notice of Violation or order in accordance with this Ordinance shall not constitute approval of any violation or non-compliance. Any Notice of Violation or order issued pursuant to this section shall be conveyed upon the owner, operator, occupant, or other person responsible for the building or property. Conveyance of such order shall be by one of the following methods: Personal service (by affixing a copy thereof in a conspicuous place at the entrance of said building or premises), by mailing a copy thereof to such responsible person by first-class mail to his or her last known address, by fax, or electronic mail pursuant to IC 4-21.5-3.

#### **8.12.095 IMMINENT DANGER.**

The Fire Chief, or his/her designee, may stop an operation or require the evacuation of any Class I structure or portion thereof under the provisions of IC 36-8-17-9 when it is determined that conduct or conditions of the property:

1. Present a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser;
2. Is prohibited without a permit, registration, certification, authorization, variance, exemption, or other license required under IC 22-14, another Indiana statute or rule of the Commission; or
3. Will conceal a violation of law.

#### **8.12.100 DUTY TO CORRECT VIOLATIONS.**

The owner or person in control of any premises or building upon which a violation or hazard exists shall:

1. Cease and correct the violation.
2. Protect persons and property from the hazards of the violation.

#### **8.12.105 APPEAL FROM ORDERS.**

An owner or occupant who remains aggrieved by an order or decision issued pursuant to this Fire Prevention Ordinance and the matter involves a rule of the Indiana Fire Prevention and Building Safety Commission, may appeal to the Indiana Fire Prevention and Building Safety Commission as set forth by IC 36-8-17.

#### **8.12.110 LOCAL ORDINANCE APPEAL PROCESS.**

(A) Any property owner or lessee with the consent of the owner aggrieved by an order, disapproval of an application, or refusal to grant a permit issued by the Fire Chief or his/her designee under this chapter may appeal from the decision by filing a written petition requesting a hearing on the matter before the Board of Public Works and Safety of the City. Said petition shall be filed within thirty days from the date of the decision from which the person is seeking appellate review, and contain a brief statement explaining the reason for the appeal.

(B) Upon receipt of such petition, the board of public works and safety shall arrange a time and place for such hearing and shall give the petitioner written notice thereof. Such hearing shall be held as soon as practicable after receipt of the request therefor.

(C) At such hearing the petitioner shall be given an opportunity to be heard pertaining to the matters and things stated in such petition. The Board of Public Works and Safety shall consider the following criteria:

- (1) Whether the requested use or modification will conform to fundamental requirements for safety; and

(2) Whether the granting of the requested appeal increases the risk of fire or danger to the public, firefighters, or intended occupants.

(D) After such hearing, the Board of Public Works and Safety shall sustain, modify or overrule the decision of the Fire Chief. The proceedings of such hearings including the findings and decisions of such board shall be reduced to writing and entered as a matter of public record in the minutes of the meetings of such board.

(E) Any person aggrieved by the decision of such board may seek relief therefrom in any court of competent jurisdiction as provided by the laws of this state.

#### **8.12.115 FALSE REPORTING.**

Providing a false report of a fire to the Fire Department may constitute a crime pursuant to IC 35-44.1-2-3.

#### **8.12.120 AUTHORITY OF FIRE CHIEF TO PROHIBIT BURNING.**

(A) The Fire Chief is empowered to prohibit any and all types of outside burnings whenever local conditions or circumstances make such fire hazardous.

(B) No person shall kindle or maintain any fire, or burn leaves, trash, rubbish, debris, garbage, construction materials, tree limbs, shrubbery trimmings or dangerous materials or dispose of same by burning or shall knowingly furnish the materials for a fire, or authorize any fire to be kindled or maintained on or in any street, alley, road, public grounds, or private land except as authorized within 8.12.125.

#### **8.12.125 PERMITTED FIRES; REGULATIONS.**

(A) The regulations under 326 IAC 4 and 675 IAC 22 are hereby incorporated by reference.

(B) The following types of fire are allowed without prior approval of the Fire Chief or his/her designee:

(1) Fires used for recreational or cooking purposes.

(C) Fires authorized in division (B) (1) above shall be subject to the following:

(1) Only natural wood or plant material shall be burned;

(2) Fires in approved containers shall be no closer than 15 feet of a structure or property line;

(3) Fires not in approved containers shall be less than 36 inches in diameter, and no more than 24 inches in height, shall be no closer than 25 feet of a structure or property line;

(4) To qualify as an approved container a fire shall be entirely contained in a noncombustible container with enclosed sides and bottom, have a mesh covering with openings no larger than one-quarter inch square and be less than 36 inches in diameter;

(5) Fires shall be attended at all times, with an extinguishing source, until completely extinguished;

(6) If fires create an air-quality problem, a nuisance, or a fire hazard, they shall be extinguished;

(7) No burning shall be conducted during unfavorable meteorological conditions, as determined by the Fire Chief or his/her designee, such as temperature inversions, high winds, air stagnation, drought and the like or other conditions that run the risk of causing health problems; and

(8) All state and federal air quality standards.

(D) Burning with prior approval of the Fire Chief or his/her designee may be authorized for the following:

(1) Burning of refuse consisting of material resulting from a natural disaster.

(2) Burning for purposes of fire training.

(3) Emergency burning of spilled petroleum products when all reasonable efforts to recover the spilled material have been made and failure to burn would result in an imminent fire hazard or water pollution problems.

(4) Burning of highly explosive or other dangerous materials for which no alternative disposal method exists or where transportation of the materials is impossible.

(5) Burning of prairies for prairie management.

(6) Fires used to clear a woodlot, fence row, or brush.

#### **8.12.130 ADDRESS IDENTIFICATION.**

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in an approved position that is plainly legible and visible from the street or road fronting the property as well as the rear access or exit doors. These numbers or letters shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers and letters shall be a minimum of four inches high with a minimum stroke width of one-half inch.

#### **8.12.135 FIRE LANE MARKINGS.**

The location of fire lanes shall be established by the Fire Chief, or his/her designee. The Fire Chief, or his/her designee, can require signage or striping or any combination. Design of the fire lane markings shall be approved by the Fire Chief, or his/her designee. The erection of and maintenance of fire lane marking signs and striping shall be the responsibility of the property owner. All markings shall remain in good visible condition as determined by the Fire Chief or his/her designee. The parking or standing of any obstruction, including motor vehicles, within established fire lane markings on private or public property shall be prohibited.

#### **8.12.140 GATES OR BARRICADES.**

The Fire Chief, or his/her designee, is authorized to approve the installation of approved gates or other barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways. Approved gates or barricades shall be maintained by the property owner.

#### **8.12.145 WATER SUPPLY.**

A water supply capable of supplying the required fire flow, for firefighting purposes, as determined by Section 8.12.150 of this Article, must be provided to all premises or property upon which a Class 1 structure, a portion of a Class 1 structure or a Class 2 structure is hereafter constructed. The water supply shall be provided as follows:

(A) When a municipal water supply is available and contingent to the premises or property, fire hydrants and mains shall be installed and capable of providing the required fire flow as determined by Section 8.12.150 of this Chapter.

(B) When a municipal water supply is not available, an alternative water supply may be approved. The alternative water supply shall consist of a pressure tank, elevated tank or other fixed system capable of providing the required fire flow as determined by Section 8.12.150 of this Chapter. The means of acquiring the water from an alternative water supply shall be accessible and the connection(s) shall be approved by the Fire Chief, or his/her designee. The owner shall verify the fire flow requirements with the Fire Chief, or his/her designee, prior to final design and construction.

#### **8.12.150 FIRE FLOW REQUIREMENTS.**

In determining the requirements for fire flow, the Fire Chief, or his/her designee, shall utilize 675 IAC 22 Appendix B - "Fire Flow Requirements for Buildings" and 675 IAC 22 Appendix C - "Fire Hydrant Locations and Distribution" as a guide. The requirements in Appendix B & C may not be made more stringent by the Fire Chief, or his/her designee.

#### **8.12.155 EMERGENCY LIGHTING ACTIVATION TEST.**

An activation test of the emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of 30 seconds.

#### **8.12.160 EMERGENCY LIGHTING ACTIVATION TEST RECORD.**

Records for the activation test shall be maintained on the premises for a minimum of three (3) years and submitted to the Fire Chief, or his/her designee, upon request. The record must include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

#### **8.12.165 EMERGENCY LIGHTING POWER TEST RECORD.**

The ninety (90) minute power test shall be maintained on the premises for a minimum of 3 years and submitted to the Fire Chief, or his/her designee, upon request. The record shall include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

#### **8.12.170 FIRE PROTECTION SYSTEMS PLAN REVIEW.**

(A) The City Fire Department Fire shall perform a review of all pertinent site plans, building plans (construction), fire protection system plans and specifications including sprinkler, fire alarm systems and hood suppression systems of any project within the boundaries of the city of Columbus, in order to determine whether such plans and specifications comply with the applicable rules of this chapter and any other codes, standards or rules that may apply. Separate review shall be required for fire protection systems based on the fire protection standards in this chapter.

(B) Plans shall be submitted in traditional 24-inch by 36-inch paper form unless approved by the Fire Department.

(C) Fire Department plan review shall occur at the following phases: site plan, construction plan and fire protection systems plan. This review shall run concurrent to the City plan review and any issues or corrections that need to be made to the plans shall be completed by the developer prior to the approval of the Planning Department and Columbus Fire Department.

#### **8.12.175 CONSTRUCTION DOCUMENTS.**

Plans for Fire Alarms Systems, Water-Based Fire Protection Systems, Fire Pumps, Special Hazard Fire Suppression Systems, High-piled Storage Arrangements and Firestop Systems shall be submitted for review. Each applicable submittal must contain the following information:

(A) Sprinkler / Standpipe Systems:

- (1) One (1) Full Set of Sprinkler / Standpipe Plans.
- (2) One (1) Full Set of Sprinkler / Standpipe Calculations.
- (3) One (1) Copy of the Sprinkler Construction Design Release (CDR).
- (4) One (1) Set of Manufactures Cut-Sheets for all sprinkler heads in the design.

(B) Fire, Alarm Systems:

- (1) One (1) Full Set of Fire Alarm Plans.
- (2) One (1) Set of Battery Calculations.
- (3) One (1) Copy of the Fire Alarm Construction Design Release (CDR).
- (4) One (1) Set of Manufacturer's Cut-Sheets for the Fire Alarm Control Panel (FACP) and Fire Alarm Components.
- (5) One (1) Fire Alarm Sequence of Operation Matrix.

(C) Special Hazard Fire Protection Systems:

- (1) One (1) Set of Plans (if applicable).
- (2) One (1) Set of Engineering Data (if applicable).
- (3) One (1) Copy of the Construction Design Release (if applicable).
- (4) One (1) Set of Manufacturer's Cut-Sheets for System Components.

(D) Life Safety:

- (1) One (1) Copy of the Life Safety Plan.

(E) Fire Pumps:

- (1) One (1) Copy of the Manufactures Fire Pump Specifications.
- (2) One (1) Copy of the Manufacturer's Certified Pump Test Characteristic Curve

(F) Firestop Systems:

- (1) Through-Penetration Firestop Systems.
- (2) Membrane-Penetration Firestop Systems.
- (3) Fire-Resistant Joint Systems.
- (4) Perimeter Fire Barrier Systems.
- (5) Fire-Rated Duct and Air--Transfer Openings.

**8.12.180 FIRE DEPARTMENT CONNECTIONS.**

The location and type of the Fire Department connections shall be approved by the Fire Chief, or his/her designee, with respect to fire hydrants, fire department access roads, fire apparatus water supply lines, buildings, utilities and landscaping. Immediate access to fire department connections shall be maintained at all times and not hindered by obstructions including fences, bushes, trees, walls or other fixed or removable objects.

**8.12.185 FIRE EXTINGUISHERS.**

Portable fire extinguishers shall be installed and maintained in Class 1 structures as set forth in the referenced edition of NFPA 10 as published by the National Fire Protection Association.

**8.12.190 CONSUMER FIREWORKS.**

Pursuant to I.C. 22-11-14-6(d), I.C. 22-11-14-10.5, and this Ordinance, consumer fireworks may only be used in the City of Columbus, Indiana, corporate limits during the days and times listed below:

- a. Between the hours of 5:00 P.M. and two (2) hours after sunset on June 29 through July 3 and July 5 through July 9, however, regardless of what time sunset occurs, no later than 11 P.M.;
- b. Between 10:00 A.M. and midnight on July 4 and December 31.

In the event that the hours of use for consumer fireworks listed in I.C. 22-11-14-6(d) or I.C. 22-11-14-10.5(c)(3) conflict with this Ordinance, the state statute shall control.

#### **8.12.195 Violation—PENALTY.**

(A) Any person who shall violate any of the provisions of the Fire Prevention Code or fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate of permit issued thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the board of public works and safety or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively be guilty of an ordinance violation. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time and when not otherwise specified each ten days that prohibited conditions are maintained shall constitute a separate offense. The application of the penalty for violation of the code shall not be held to prevent the enforced removal of prohibited conditions.

(B) Any person who violates the provision of the Fire Prevention Code shall be fined a sum not less than twenty-five dollars or more than three hundred dollars per day for each violation, not to exceed two thousand five hundred dollars per year.

#### **8.12.200 FALSE ALARM SERVICE CHARGE.**

(A) A service charge shall be assessed for false alarms exceeding the following thresholds:

- a. Three false alarms shall be allowed each alarm system in any calendar year that would have fifty or less detectors and pull stations.
- b. Four false alarms shall be allowed each alarm system in any calendar year that has in service fifty-one to one hundred fifty detectors and pull stations.
- c. Five false alarms shall be allowed each alarm system in any calendar year that has in service one hundred fifty- one to two hundred fifty detectors and pull stations.
- d. Six false alarms shall be allowed each alarm system in any calendar year that has in service over two hundred fifty detectors and pull stations.

(B) A service charge of fifty dollars shall be paid by the building owner for each of the next three false alarms received in any calendar year.

(C) A service charge of one hundred dollars shall be paid by the building owner for each of the next three false alarms received in any calendar year.

(D) A service charge of two hundred dollars shall be paid by the building owner for all subsequent false alarm received within the calendar year.

### **8.12.205 EMERGENCY COMMUNICATIONS.**

(A) Any time a commercial building is being built in the City, the owner of the building shall contact the serving Fire Chief or his/her designee for information on emergency communications equipment that may be required to be installed into the building.

(B) This equipment is a radio repeater system that is used to assist police and fire agencies inside the building.

(C) It will allow the County Emergency Communications radio system to function properly inside its new building.

### **8.12.210 CERTIFICATE OF OCCUPANCY REQUIREMENTS.**

(A) *Acceptance test.* Prior to the issuance of the certificate of occupancy for a newly-constructed, renovated, or remodeled Class 1 structure, the Fire Department is required to witness a successful acceptance or performance test in accordance with the appropriate installation standard or manufacturer's specifications for the following systems (if applicable):

- (1) Fire alarm system;
- (2) Sprinkler system;
- (3) Special hazard fire suppression system; and
- (4) Type I hood exhaust system.

(B) *Written verification.* Prior to the issuance of the certificate of occupancy for a newly-constructed, renovated or remodeled Class 1 structure, the Fire Department requires written verification that each fire protection and life-safety system has been installed in complete agreement with the terms of the listing, manufacturer's instructions, and the applicable installation standard.

(C) *Installation documentation.* Prior to the issuance of the certificate of occupancy for a newly-constructed, renovated or remodeled Class 1 structure, the Fire Department requires the following documentation (if applicable):

- (1) Record of completion for fire alarm systems, as required by NFPA 72;
- (2) Contractor's material and test certificate for aboveground piping for sprinkler and standpipe systems, as required by NFPA;
- (3) Contractor's material and test certificate for underground piping for private fire service mains, fire hydrants and piping, as required by NFPA 13 and 24;
- (4) Certificate of completion/installation for all special hazard fire suppression systems; and
- (5) Air balance test report (Type I and II exhaust hoods).

### **8.12.215 INSPECTION PROCESS.**

(A) *General.* The Fire Chief or his/her designee shall conduct the following inspections on all new and existing Class 1 structures located within the town and areas protected under contract by the Fire Department.

(B) *New construction.*

(1) Required inspections completed by the Fire Chief and/or his/her designee shall include, but not be limited to:

- (a) Site;
  - (b) Pre-drywall (rough-in);
  - (c) Above ceiling;
  - (d) Final certificate of occupancy;
  - (e) Sprinkler system rough-in;
  - (f) Sprinkler system final;
  - (g) Fire alarm rough-in; and
  - (h) Fire alarm final.
- (2) These required inspections may run concurrent.

**8.12.220 EXISTING BUILDING MODIFICATIONS.**

Plans shall be submitted to the Fire Chief prior to any alteration, remodel, addition or demolition of any part of a building that is equipped with an automatic fire suppression system and/or automatic fire detection and/or fire alarm system.

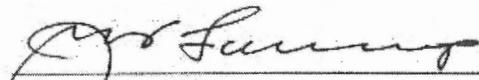
**8.12.225 FIRE DEPARTMENT ACCESS ROADS FOR CLASS 1 AND CLASS 2 STRUCTURES.**

Fire apparatus roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 of the 2014 Indiana Fire Code (675 IAC 22-2.5).

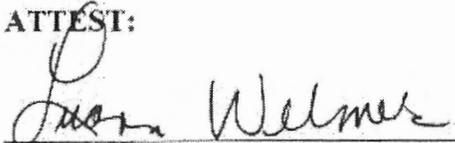
**8.12.230 EFFECTIVE DATE OF ORDINANCE.**

This Ordinance shall be in full force and effect on the date upon which the Fire Prevention and Building Safety Commission grants its approval.

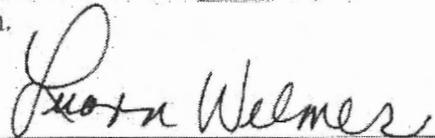
**ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA**, on this the 15<sup>th</sup> day of January, 2019 by a vote of 6 ayes and 0 nays.

  
 \_\_\_\_\_  
 James D. Lienhoop, Mayor  
 Residing Officer of the Common Council

**ATTEST:**

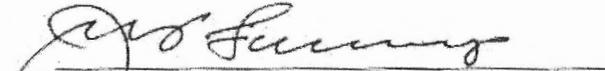
  
 \_\_\_\_\_  
 Clerk of the Common Council of Columbus, Indiana  
 Luann Welmer

Presented by me to the Mayor of Columbus, Indiana this 15<sup>th</sup> day of January, 2019 at 6:55 o'clock P.m.

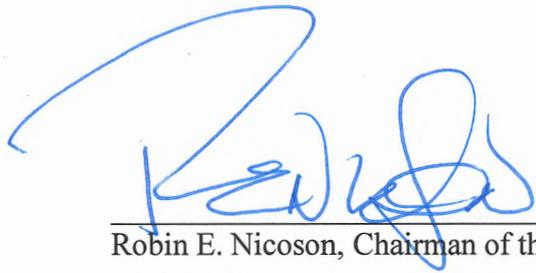
  
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Luann Welmer  
Clerk-Treasurer

Approved and signed by me this 15<sup>th</sup> day of January, 2019, at 6:55  
o'clock p.m.

  
James D. Lienhoop  
Mayor of the City of Columbus, Indiana

Approved this day, the 5th of March, 2019, by the Fire Prevention and Building Safety Commission of the State of Indiana.



Robin E. Nicoson, Chairman of the Fire Prevention and Building Safety Commission